DESPERATE STRUGGLE TO ESCAPE THE LAW

FIGHT OF JOHN F. GAYNOR AND BENJA MIN D. GREENE TO PREVENT EX-TRADITION FROM CANADA.

EXILE IS SPENT IN LUXURY.

Exciting Incidents Have Marked Careers of Two Amer. icans Charged with Defrauding Government of Millions of Dollars.

Decision of British Privy Council Makes Return of Fugitives Possible-Story of Case That Has Attracted Interternational Attention.

residences

ed. For months they were not on speak-

quarters and take up separate private

Ie is said that there was a woman in

'the case, and that Greene leased a house

in the outskirts of the city in the name

of Gaynor, which fact, when he discov-

ered it, was bitterly resented by Gaynor

for domestic reasons. Gaynor declared

to his companions in the barroom of the

Chateau Frontenac that Greene was un-

grateful, and that he would not have a

coat to his back were it not for him.

Greene, who is an educated man and the

finer of the two, having once been an

officer in the United States army, ap-

peared to look down upon his uncouth.

But the trouble was made up months

ago and the two are now fast friends.

busy in the joint effort to resist extradi-

tion to the United States. It is said that

Gaynor is the moneyed man of the two

and that Greene's means are compara-

tively limited. Gaynor is supposed to

have pocketed the lion's share of the

money secured from the United States.

bibulous and talkative fellow exile.

Quebec .- As the result of the recent | day, but they had a quarrel and separatdecision of the British privy council, two fugitives from American justice will ing terms. It was this estrangement probably soon be taken to the United | that led them to abandon their palatial States to stand trial for their serious offense against the laws.

Years ago, before extradition treaties had been arranged with European countries, the Canadian dominion or the South and Central American republics, it was a common practice of American criminals to seek refuge outside the borders of the "States." Canada, being easy of access, was a favorite harbor for embezzlers and defaulters, and many there defied the efforts of justice to bring them to trial.

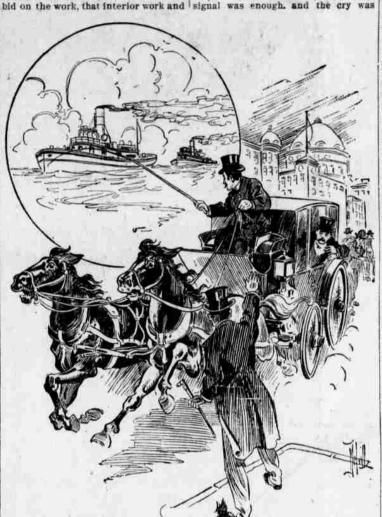
Even after agreements had been effected with most of the countries, men who had decamped with considerable sums preferred taking their chances with the extradition laws and with government officials whose decisions they could often influence with their illgotten wealth, rather than remain at home where certain punishment awaited

Brief History of Case. The decision of King Edward's jurists

was made in connection with a case that has attracted international atten- known that they are shadowed night and tion; that of John F. Gaynor and Ben- day by agents of the United States, and

to defraud the government in connecdered the trial of Capt. Carter by court-

officer appointed to succeed bim in 1902, a party of *etectives went to diately afterward Judge Caron allowed charge of the Savannah improvements. Quebec secretly with Commissioner La- the prisoners to leave the jall and go charged Capt. Carter with a conspiracy fontaine's warrant, pounced upon Gaynor and Greene, thrust them into closed tion with the harbor contracts. In De- cabs, put them on the tug Spray, the in court, through their lawyers, that cember, 1897, the secretary of war or- swiftest vessel on the St. Lawrence, and started at full speed for Montreal. martial. The charges were, roundly, Gaynor shouted from the cab window that Carter drew the specifications for to a friend in the street; "I am kidcontracts so that no firm but the Atlan- naped!" A detective put his hand tic Construction company would dare to over the prinoner's mouth. But that



TUG CHASE ON THE ST. LAWRENCE AND CAPTURE OF GAYNOR.

The exiles are free men, but it is well were divided pro rata between Gaynor Greene and Carter.

It was shown on the trial that these they were to be made Capt. Carter would go to New York, where he would draw a treasury order for the full amount. plus \$75, his expenses on the journey; that this check would be handed to Greene, and that within a few days Gaynor would hand his check for onethird of the payment, plus \$75, to Carter. The dates of the checks thus drawn corresponded with Carter's visits to the Unio. York, of which he was a member. It was estimated that Carter's share of the plun-

Capt. Carter Convicted. Carter was tried by court-martial. found guilty and sentenced to a fine of \$5,000 and five years' imprisonment, besides being dishonorably dismissed from the army. He has explated his of-

der amounted to \$722,528.

fense and has regained his liberty. It took a long time to secure Capt. Carter's punishment, and it was said that Gaynor and Greene were moving heaven and earth to hush the matter up

In December, 1899, Gaynor and Greene and the other members of the Atlantic Construction company were indicted by he United States grand jury at Savannah for a conspiracy to defraud the United States of \$575.949.90. A few days later the indicted men surrendered to United States Marshal Shields in New York.

Then followed a long struggle against extradition to Savannah. Gaynor and Greene had appeared in Savannah and had each given a bond of \$40,000. Step by step the case was fought, and when the United States supreme court finally swept away all obstructions between them and their trial, Gaynor and Greene fled to Canada, and their bail bonds were forfeited. It is said that the bondsmen were afterward reimbursed by the fugi-

Pursuit of the Fugitives. The chase up the river was an exciting one, and the news spreading rapidly, the progress of the two boats up the St. Lawrence was eagerly watched. But the Spray was too fast to be caught. Realizing this, the chief constable of Quebec, armed with a writ of habeas corpus from Judge Andrews, of that city, hurried to Three Rivers on a special train, and, setting out in a boat with his officers, ordered the Spray to halt in the queen's name. No attention was paid to the challenge. Gaynor and Greene were taken to Montreal, where Commissioner Lafontaine

committed them to jail. back to Judge Andrews on a special train and secured another writ addressed to the Montreal jailer, who surrendered the prisoners; and so Gaynor and Greene went back to Quebec on a special train, feasting their official rescuers on the way. So fearful were the exiles that they would be kidnaped again, that they asked to be they felt reasonably safe from the Montreal and American detectives.

As the case developed, it was evident that Gaynor and Greene had laid Everything that could help the great The law firm emtheir plans deeply. ployed by them included in its membership the premier of Quebec, a son of the deputy attorney general and the Canadian minister of justice. The son of the extradition commissioner of Quebec was also employed by the fugitives.

The prisoners' lawyers appeared be fore Judge Andrews and consented to the vacating of the writ. Thereupon other writs issued by Judge Caron, who The two men went to Montreal first had had nothing to do with the case, laws. and then to Quebec. The extradition were served upon the Quebec jailer, commissioner lived in Montreal, and As soon as he heard of this, Judge An-

materials were accepted and that the immediately raised by Mrs. Gaynor surplus moneys above the actual cost and her friends. The prisoner's lawyers went about Quebec declaring that their clients had been kidnaped. At once a boatload of Quebec officers was infamies that have disgraced the annals payments were frequent, and that when sent to overtake the Spray and bring of the administration of justice in Can-Gaynor and Greene back.

The high constable of Quebec hurried committed to the Quebec jail, where



DETECTIVES HAVE BEEN CONTINUALLY UNDER SURVEILLANCE they wanted to get as far away from | drews dismissed the writs and ordered

up in the Chateau Frontenac, lived sumptuously and hired lawyers.

Kidnaped by Detectives. Extradition Commissioner Lafontaine at Montreal issued a warrant for pelling Commissioner Lafontaine, of ingpointed military attache of the United the arrest of the fugitives on the ap-States legation in London against his plication of the United States. Then of that city. They were together every protest. Capt. Gillette, the engineer followed a dramatic event. On May 15, court at Quebec for review. Imme. Ally Sloper.

Judge Dismisses Proceedings. Now came the final trick. Judge Caron issued a writ of certiorari, com-

Montreal, to bring all the papers in Exasperating Wife-Why on earth

to live at the Chateau Frontenac. few days later the prisoners declared Mr. Erwin, the lawyer representing the United States, had offered to consent to a dismissal of the case on the navment of \$500,000. Mr. Erwin denied the charge. Greene admitted that he offered to pay \$200,000 in settlement. On August 13, 1902, Judge Caron discharged Greene and Gaynor and dis-

missed the extradition proceedings. After this Mr. Erwin reported the facts to the United States government and charged that Gaynor and Greene had so interested officials connected with the administration of justice in Canada that the ends of justice had been defeated. The United States appealed the case to the privy council, whose decision, just rendered, sends the matter back before Commissioner Lafontaine, at Montreal. Gaynor and Greene declare they will go through the fight all over again on new technical grounds, but it is predicted by unbiased men qualified to speak that they will be brought to trial within the next three months.

Meantime Judge Caron has been permitted to retire from the bench on a life pension equivalent to his full sal-

Gaynor and Greene refuse to be interviewed in Quebec. They refer everybody to their lawyer, who makes no secret of the fact that he proposes to fight at every point and to the bitter end. But when Gaynor grows mellow in the barroom of the Chateau Frontenac hotel, where he spends most of his waking hours, he poses as the victim of a sinister persecution and claims that the United States is still fairly indebted to him to the amount of \$700,000 on his contracts. Greene is a sober man and does little talking. Comments on Case.

Friends of the exiles in Quebec, in Canada, are attempting to create the impression that the decision of the Brit ish court "is only another evidence of the cringing and truckling policy which England has of late been following in her dealings with the United States, Canadian interests being sacrificed in every instance to the inordinate and aggressive demands of the United States.

That this feeling is not general is shown by the strong words of a leading Canadian lawyer upon receipt of the news of the court's decision. "Of all the ada," he said. "this Gaynor and Greene case is the worst. It has shown us that our bench and bar are unhappily amenable to influences which were never suspected before and that, aided by the fortuitous presence of cooperative elements in the federal and provisional governments, the good name of our country and of two of its supposed unassailable bulwarks have been most ruthlessly sacrificed for the sake of temporary political and personal triumphs and the sake of personal gain. Happily we have in the judicial committee of the imperial privy council an independent and impartial tribunal that possesses the right and the power to set all such matters straight, to rectify all the wrongs perpetrated in the name of British or Canadian law, and, in this instance, to wipe out the stigma that has been cast upon our system by some of our very worst elements. The entire machinery of the Canadian administration of justice was paralyzed or prostituted to the service of Gaynor and Greene, who had to pay sweetly for their temporary triumphs. How far the political and legal cliques have bled them it is impossible to say, but it is fair to assume, from all the widespread ramifications, that it must have represented a considerable amount of solid cash end in view was used."

Although the wheels of justice have ground slowly and it has taken five years of desperate and costly fighting to arrive at the present stage of the proceedings, the day of their trial is now almost in sight. Should they be found guilty and receive their just deserts, it will be time and money well spent, for t will teach a lesson to absconders and criminals that they can find no refuge in the technicalities of the extradition

PERSONAL PARTICULARS.

Having recovered his farm in the Orange Free State, ex-President Stevn has returned to South Africa and says he hopes to "finish his life as quietly as did Napoleon in St. Helena."

Mrs. Carnegie, wife of the millionaire, though the daughter of an old New England family, is as devoted to Scotland as her husband. She takes great interest in his philanthropic enterprises, and does a lot of good to the poor in her own unostentatious way. Mrs. Carnegie takes particular delight in giving a helping hand to struggling artists and students.

The oldest postmaster in New England is Warren Belcher, of Winthrop, Mass., who was appointed by Franklin Pierce in 1852. The rugged octogenarian always has been an ardent democrat. This is his advice to everybody: "So live that you can look everybody in the face, be as pleasant as your rheumatism will allow, keep at work every day in the year, and your heart will remain

young. Gen. Oku, the Japanese leader, has a stern face, except when he smiles, when he has a kindly, pleasant look. "His eyes." says a recent observer, "are big, black, glittering and almost fanatical. Ever moving they were, and you caught them never but for a moment, but when you did they made you think of lightning and thunderstorms. He was dressed simply in olive-green serge, with one star on his cap and three stars and three stripes on his sleeve."

Show me a man without fault, and I'll show you one without hope of charity.

What Hurt Most. Subbubs-In the midst of that blizzard the other night a burglar broke

into our house. Citiman-The idea! That was cool-Subbubs-Cool? It was positively frigid! He left the window open .-

She Could Do It All. Indignant Husband (who is putting down his foot for once and for all)-

rou. An Old Coat

TEPHEN BIRT and Mary, his wife, had fallen out, not by any means for the first time. Both were young, hot tempered, high spirited, and prone to

ALICE M. MEADOWS

To-day matters had come to a climax. The two young people, white, angry, with blazing eyes, stood facing one another. It did not make matters any better that they spoke slowly and deliberately.

"I'm tired of these scenes," Mary said, "sick to death of them. I can't go out, you acquse me of flirting. I can't spend a day with a girl chum but what you say I neglect you. I can't-" "You never spend a day with me; you

haven't given me a whole day since we returned from our honeymoon. I might be the greatest stranger, instead of your husband of six months, for all the notice you take of me. You're cold as an icicle, and indifferent as-as-"

"You are! I shape my course entirely in accordance with yours. If we do go out together you are never by my side from the time we enter a house to the time we leave it. You can laugh and talk with the other women; you never have a joke to tell me, or a smile ried: I'm sorry, heartily sorry, we ever did.

His hands, resting on the back of a chair, gripped it tightly.
"You mean that?" he said, his tone changing, his expression hardening;

you really mean it?" Her clasped hands gripped one another.

"So much so, that I mean to do what can to rectify our mistake. . We can't live in peace together. I have tried; I



BAT STARING BLANKLY BEFORE LIM dare say-I do you that much justiceyou have tried; it seems impossible That being so-" her voice was level hard, though her heart was beating loud thump-"the best thing we can do is to part. Fortunately, I have my own income; I only have to leave this house, and make a home for myself elsewhere.

Her words startled, staggered him. He made a step forward, caught ber hands. You mean that?" he asked again. "You are serious?"

"1-1 never was more serious in my life.

"You wouldn't leave me?" "This is your house. Since it is best

we should part, I must leave you." to draw her hands from his, but failed: her face, she threw it around her-drew he held them closely clasped, waiting for the arms right across her. A faint smell her answer.

admiration for a deeper feeling. Any- ever. way-" she felt a fear tightening round scenes. It will be wiser to part."

He tried to draw her to him; she held away.

have seemed indifferent, it-it has been go away? only this-a man expects his wife to know he loves her, not to need telling ly-how soon, utterly exhausted, she day after day; that is a lover's business. can put them right; if we have disappointed one another-and you, I must | And once more husband and wife-albegin all over again, wipe out the last other. six months?"

Her face softened for a minute; now once more it hardened. . So she had disappointed him-she who had done everything she could to make him happy-"I have no wish to begin again," she

answered. "We have tried to be happy. I suppose; we have been miserable. 1. lips, and parting was something that you say, have disappointed you; you have disappointed me. I would rather

LESS LOGGING THIS YEAR. tion are now \$40 a month and board.

Work Has Failed Thousands of Men This Winter Who Were Formerly Busy. An old-time business, in which thou-

sands of men have been accustomed to great deal of the material from which rely for winter's work, has failed them fruit packages are made. The lumber to a great extent this winter, says the is shipped back to Michigan in logs, Chicago Tribune.

upper Michigan and Wisconsin. Owing to the lateness of the season

this year, the demand for men fell off to almost nothing. Heretofore the wages have run from \$26 to \$30 a month and board. Teamsters, loaders and deckers are drawing about five dol- the radiator before you begin, will lars above the maximum at which the men are hired.

Lumbermen notice the absence of many familiar faces. The old-time have steam and hot air both going at woodsmen, who used to go to the woods regularly every winter, are passing away. Most of the men who an plied for work this winter were inexperienced, and the growing scarcity has been noticed more and more.

Washington have taken away a large up of the fragments that remained 12 number of Michigan men. Not long baskets full." since a single car had a large party of | Precoclous Tommy (whispering to men who were going from the Wolver- his mother)-And did they have ine woods to the Pacific woodlands. It French aritchokes in those days, many to claimed that the wages in that sec- ma?-N. Y. Times.

not talk any more. I will tell the servants I am going on a journey. iden't want to make things disagreeable for

And I shall go to-day.' He dropped her hands; he looked at her for a moment-at her white, set face, her eyes that did not soften in the least as his glance met hers. Then a proud, boyish rage entered his heart. If she ould go, if she could leave him, then, indeed, she did not, never had, loved

him. "You will please yourself, of course," he answered, "but whether you remain with me or leave me, you are still my wife-you are still bound to me; be good

enough not to forget that. He scarcely saw his way as he crossed the room and left her-left her with a great anger in his heart against her.

"She never loved me," he said to himself, "never, never; let her go!" He found his way to his study, sat down, staring blankly before him for I can't talk to an old friend, but what awhile, and scattered his papers heedlessly on the floor. Then his head dropped upon his hands, and his eyes

were wet. As the door closed after him Mary trembled. So he had accepted the situation! Then, indeed, he did not love her. She had expected pleading, protestations; she had meant to forgive him; she had thought, indeed, they

might begin again. "He never loved me," she said to herself. "I did not mean to leave him I shall go now; I owe it to my pride to go now.

She dragged her steps to her room; she must put her things together. Where she should go she did not know-and for me. We never ought to have mar- dld it matter? If she was not with him she did not care where she was. There was plenty of hotels, but how lonely she would be!

> She opened the wardrobe and flung dress after dress upon the floor. She must take something with her; it didn't matter what. Wherever she was he would not be there to see her.

The light was growing gray outside; the room seemed cold. She wondered what he was doing. He had not gone from the house; he was waiting to see her off, perhaps-wondering why she was so long. Could she have looked at him then she would have seen him sitting with a minature in his hand, looking at the pretty face with year dimmed yes-would have heard his words: "My little wife!"-seen him lift it to hit

She had taken out all the dresses now There was still something at the back of the wardrobe-something soft. She took it down, drew it out, and a swift rush of color swept her face.

In her hands she held an old velver smoking coat; but the sight of it brought back a flood of memories. She remembered so well he had strolled over to her father's house wearing it; he had found her in the conservatory, tending the plants; he had told her then that he loved her, had taken her for the first time in his arms, kissed her, gained her promise that she would be his wife.

As she stood with the coat in her hand she remembered she had been so happy; she could recall each word he had said each kiss he had given; and his arms his dear arms, how tenderly, how closely, how fondly they had held her!

She sank into a chair, the coat pressed now close against her breast. A little sob rose in her throat tears came inic her eyes. It was all over-all over: His arms would never hold her again, his lips would never kiss her more!

Outside is growing darker still. She felt sad, lonely, and she must go soon. She had cut the ground under her feet. burned her boats behind her; he would be wondering why she did not go.

If only he would come to her! After all he did love her; she knew that well, They had been foolish-proud. If only ne would come!

She lifted the coat. Then while in of smoke clung to it yet. She could al-"Perhaps we were both too young to most fancy she was in his arms, that understand what love should be," she their quarrel was a dream, that she was answered. "Perhaps we took mutual not leaving his home and hers for-

He had laughed at her often for keenher heart as she spoke-"it is quite clear ling the old coat, for loving it almost as the love has waned. Anything is ber- though it were something human. She ter than being together with constant | would take it away with her; he would never miss it.

And then, quietly, she began to cry her soft cheek pressed to the old velvet "I will not let you go!" he said; "you sometimes her quivering lips. If only are mine-my wife-I love you. If I he would come to her! How could she

How long she cried, quietly but bitterdropped to sleep-she did not know Mary, if we made mistakes, surely we The opening of the door aroused her: the switching on of the electric light. confess, have disappointed me-can't we most children both-looked at one an-

Looked, and understood that parting was impossible, the love was still there; looked while, as his eyes fell upon the old velvet coat, and he understood, a finsh swept her face. Then, with one swift stride, wife and coat all were taken into a passionate embrace, words of love and forgiveness stumbled across their would never come while life should last. -Chicago Tribune.

In Michigan and Wisconsin the lumber is getting thinned out, while in the far northwest it is much as it was 20 years ago.

A large number of woodsmen have gone south. These men get out a and here it is sawed up and converted The business is that of logging in into barrels and cases.

Mr. Biblets-Now, m' dear, I'll tell you how I happened to get home so late if you'll only listen.

Mrs. Liblets-All right. Turn off the you? "Wha' for?" "Oh, it seems so extravagant to

once."-Cleveland Leader.

New Version. Pastor (recouting the miraculous feeding of the multitude, as the text for his morning sermon)-And they all It is contended that the pineries of | did eat, and were filled; and they took



JOHN F. GAYNOR.

jamin D. Greene, who, together with Capt. Oberlin M. Carter, were indicted in Savannah, Ga., December 8, 1899, charged with embezzlement and defrauding the United States government in the performance of government contracts for the improvement of the Savannah river and other river and harbor work in that district, the illicit profits being estimated at \$2,000,000.

Gaynor and Greene were arrested in New York. They contested extradition to Georgia and when the United States | class of local society. They are occacommissioners decided that they must go to that state and plead to the indictments they fied to Canada. They had nor's former marriage, but apart from been at liberty on \$40,000 bail each, and this was forfeited. Efforts to extradite Gaynor and

favorably and the extradition commission was sitting in Montreal when Gaynor and Greene went to Quebec. question arose as to whether they could be brought back and detectives kidnaped them and took them to Montreal. There was a big legal fight over this action and a Quebec judge issued a writ of habeas corpus which was served on the jailer at Montreal, who delivered up the tradition tribunal and permitted them to be rushed back to Quebec. Efforts to quash the writ of habeas corpus under which they had been returned were de-

nied by Justice Caron. After a long legal controversy Gaynor and Greene obtained their liberty within the limits of the Province of Quebec. The United States government then ap cealed to the privy council of England.

the highest court in that country. According to the decision the Amer ican government can now continue its work of securing the extradition of Gaynor and Greene. The whole question of their return to the United States is now in the hands of the Canadian extradition commission at Montreal. Judge Caron, of Quebec, set the two men at liberty on the ground that the extradition treaty did not cover the charge made against them, which was con spiracy to embezzle. The privy council has decided that Judge Caron had no right to interfere, and that the crime for which the two Americans were indicted

comes within the terms of the treaty. Woman Causes a Quarrel. During their five years' residence in the Dominion these two fugitives, although living in luxury, were socially ostraciced. For a long time after they fied to Quebec the exiles lived in sumptuous style at the Chateau Frontenac. where their lavish expenditures amused and sometimes awed the simple people

that any attempt to escape now would

be futile Fugitives Are Ostracized Greene and his wife live in a splendidly-furnished residence in the most fashionable quarter of Quebec, near the Governor's garden. They are waited upon by several servants, but they see little or no company. In fact they are bitterly ostracized, and the only persons with whom they are seen, though respectable enough, are not of the better sionally visited by relatives from their former home, such as children by Gay-

these they see very few persons except on business. Gaynor spends most of his time in the Greene from Montreal were progressing barroom, where he is tolerated for his openhandedness by lawyers and poli-

ticians who drop in from time to time.

Mrs. Gaynor spends a good deal of her time in driving and horse riding, in which latter sport she has been taking lessons from an officer of the militia cavalry. Mrs. Gaynor is an occasional attendant at St. Andrew's, the local Presbyterian church, while Gaynor himself is once in awhile to be seen at St. prisoners without notification to the ex- | Patrick's Roman Catholic church. It is obvious that Gaynor has still plenty of money. Some time ago he dabbled in stock speculation, but he has abandoned that amusement now. On the other hand, Capt. Greene, who lives with his wife and servants in an equally fine house in the same quarter of the city. is practically a recluse and sees nobody but on the strictest business, applying himself entirely to study. In spite of their money, in spite of the clique of lawyers and politicians who have, for pay, helped them to defy justice, public sentiment in Quebec regards these two fugitives with scorn. Greene alone seems to understand the real bitterness of his lot. And now that the privy council has overturned the plot by which he gained his freedom, he is more tactiurn than ever.

How Government Was Fleeced. To understand this extraordinary case it is necessary to recall its events. On April 24, 1888, Capt. Oberlin M. Carter. of the United States corps of engineers took charge of the impresement of rivers and harbors at Savannah, Ga., for which work millions of dollars had been appropriated. He so managed matters that the Atlantic Construction company, consisting of John F. Gaynor, Capt. Greene and E. H. and W. T. Gay-

In May, 1897, Capt. Carter was ap

nor, got control of the contract.

him as possible. They set themselves Gaynor and Greene to be taken to Montreal.

the extradition proceedings into the don't you hold your tongue, then?-

Now, look here, my dear, it's no use talk-